

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 16 2006

FILED
CLERK'S OFFICE

06-4270 MMC

DOCKET NO. 1596

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION
(SEE ATTACHED SCHEDULE)

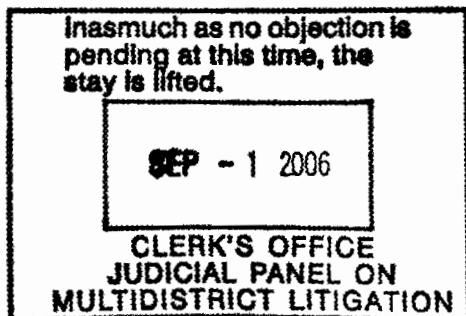
CONDITIONAL TRANSFER ORDER (CTO-63)

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,148 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

Jeffrey N. Lüthi
Clerk of the Panel

SCHEDULE CTO-63 - TAG-ALONG ACTIONS
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA NORTHERN

~~ALN 2 06-1321~~

~~Charles O. Crowder v. Eli Lilly & Co., et al. Opposed 8/28/06~~

CALIFORNIA CENTRAL

CAC 2 06-4323

William Leggett v. Eli Lilly & Co.

CAC 8 06-625

Corrine Scott v. Eli Lilly & Co., et al.

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Connie Gotschall v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 3 06-1488

Betty A. Harris v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 3 06-1528

Jean Mitchell v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 3 06-1630

Linda J. Gantt, et al. v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 3 06-1695

Patricia Dill v. Eli Lilly & Co.

CAN 3 06-1821

Dawnmarie Burtulato v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 3 06-4266

Linda Johnson v. Eli Lilly & Co., et al.

CAN 3 06-4268

Yessenia Leon v. Eli Lilly & Co., et al.

CAN 3 06-4270

Antonio Pena v. Eli Lilly & Co., et al.

CAN 4 06-1380

Sandra V. Moore v. AstraZeneca Pharmaceuticals, LP, et al.

CAN 4 06-1861

Pamela J. Lepo, et al. v. AstraZeneca Pharmaceuticals, LP, et al.

FLORIDA MIDDLE

FLM 3 06-523

Gwendolyn Williams, et al. v. Eli Lilly & Co.

IOWA NORTHERN

IAN 1 06-94

Janett O'Hara v. Eli Lilly & Co.

INDIANA SOUTHERN

INS 1 06-1043

Randall L. Ruark v. Eli Lilly & Co.

INS 1 06-1093

Christine Hughes v. Eli Lilly & Co.

LOUISIANA WESTERN

LAW 6 06-1191

Melba H. Caffery v. Eli Lilly & Co.

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OHS 1 06-426

Terry Depew v. Eli Lilly & Co.

PENNSYLVANIA EASTERN

PAE 2 06-2897

Georgia Davenport v. Eli Lilly & Co.

PAE 2 06-2898

Tonnie Hill v. Eli Lilly & Co.

PAE 2 06-3105

Catherine L. Roe, et al. v. Eli Lilly & Co.

WEST VIRGINIA SOUTHERN

WVS 2 06-568

Penelope Rogers v. Eli Lilly & Co.

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:

Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Luthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

September 1, 2006

Robert C. Heinemann, Clerk
130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached CTO-63)

Dear Mr. Heinemann:

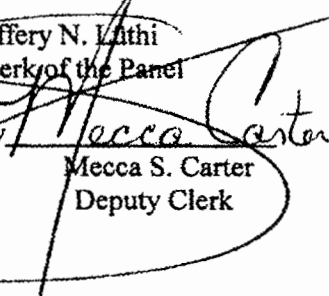
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 16, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Luthi
Clerk of the Panel

By 
Mecca S. Carter
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Jack B. Weinstein
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 36

INVOLVED COUNSEL LIST (CTO-63)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Samuel J. Abate, Jr.
McCarter & English, L.L.P.
245 Park Avenue
27th Floor
New York, NY 10167

Catherine V. Barrad
Sidley, Austin, LLP
555 West 5th Street
Suite 4000
Los Angeles, CA 90013-1010

Eric J. Buhr
Reed Smith, LLP
355 South Grand Ave
Suite 2900
Los Angeles, CA 90071

Thomas F. Campion, Jr.
Drinker, Biddle & Reath, L.L.P.
500 Campus Drive
Florham Park, NJ 07932-1047

Jan M. Carroll
Barnes & Thornburg, LLP
11 S. Meridian Street
Suite 1313
Indianapolis, IN 46204

Emily Charley
Levin Simes Kaiser & Gornick, LLP
1 Bush Street
14th Floor
San Francisco, CA 94104-4425

David J. Cutshaw
Cohen & Malad, LLP
One Indiana Square
Suite 1400
Indianapolis, IN 46204

Colleen T. Davies
Reed Smith, LLP
1999 Harrison Street, Suite 2400
P.O. Box 2084
Oakland, CA 94612-3572

Kenneth W. DeJean
Office of Kenneth W. DeJean
417 W. University Avenue
P.O. Box 4325
Lafayette, LA 70502

Andrew G. Finkelstein
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburgh, NY 12550

Lawrence J. Gornick
Levin Simes Kaiser & Gornick, LLP
1 Bush Street
14th Floor
San Francisco, CA 94104-4425

Nina M. Gussack
Pepper Hamilton, LLP
3000 Two Logan Square
18th & Arch Street
Philadelphia, PA 19103-2799

Debra Lynne Hulett
Nyemaster, Goode, West, Hansell, & O'Brien, PC
700 Walnut Street
Suite 1600
Des Moines, IA 50309

Kenneth J. Ignozzi
Dyer, Garofalo, Mann & Schultz
131 North Ludlow Street
Suite 1400
Dayton, OH 45402-1110

Jeffrey A. Kaiser
Levin Simes Kaiser & Gornick, LLP
One Bush Street
14th Floor
San Francisco, CA 94104

Jamie Kendall
Price, Waicukauski & Riley, LLC
The Hammond Block Building
301 Massachusetts Avenue
Indianapolis, IN 46204

Don K. Ledgard
Capretz & Associates
West Tower
5000 Birch Street
Suite 2500
Newport Beach, CA 92660-2151

Scott D. Levensten
Levensten Law Firm
1325 Spruce Street
Philadelphia, PA 19107

Alan Daniel Mathis
Johnston, Barton, Proctor
& Powell, LLP
AmSouth/Harbert Plaza
1901 6th Avenue North
Suite 2900
Birmingham, AL 35203-2618

INVOLVED COUNSEL LIST (CTO-63) MDL-1596

PAGE 2 OF 2

Phillip H. Myers
Myers, Myers & Danks
201 W. Monroe Street
P.O. Box C
Pleasantville, IA 50225

James Mark Neudecker
Reed Smith, LLP
P.O. Box 2084
1999 Harrison Street, Suite 2400
Oakland, CA 94604-2084

Christopher M. O'Neal
Parks & Crump, L.L.C.
240 North Magnolia Drive
Tallahassee, FL 32301

Robert L. Salim
1762 Texas Street
P.O. Box 2069
Natchitoches, LA 71457-2069

Christopher A. Seeger
Seeger Weiss, LLP
550 Broad Street
Suite 920
Newark, NJ 07102-4573

W. Roger Smith, III
Beasley, Allen, Crow, Methvin, Portis & Miles, PC
P.O. Box 4160
Montgomery, AL 36103-4160

Timothy J. Swift
Munoz & Swift
315 W. 3rd Street
Santa Ana, CA 92701-5291

Michael B. Victorson
Jackson & Kelly
P.O. Box 553
Charleston, WV 25322-0553

Robin G. Weaver
Squire, Sanders & Dempsey, L.L.P.
4900 Key Tower
127 Public Square
Cleveland, OH 44114-1304

James M. Wood
Reed Smith, LLP
1999 Harrison Street
22nd Floor
Oakland, CA 94612-3572

Frank Woodson
Beasley, Allen, Crow, Methvin, Portis & Miles, PC
P.O. Box 4160
Montgomery, AL 36103-4160

INVOLVED JUDGES LIST (CTO-63)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Hon. William M. Acker, Jr.
 Senior U.S. District Judge
 481 Hugo L. Black U.S. Courthouse
 1729 5th Avenue, North
 Birmingham, AL 35203-0065

Hon. Henry Lee Adams, Jr.
 U.S. District Judge
 United States District Court
 11-200 U.S. Courthouse
 300 N. Hogan Street
 Jacksonville, FL 32202-4204

Hon. William H. Alsup
 U.S. District Judge
 Phillip Burton U.S. Courthouse
 Box 36060
 450 Golden Gate Avenue
 San Francisco, CA 94102-3489

Hon. Sandra Brown Armstrong
 U.S. District Judge
 390-C Ronald V. Dellums
 Federal Building
 1301 Clay Street
 Oakland, CA 94612-5217

Hon. Cormac J. Carney
 U.S. District Judge
 1053 Ronald Regan Federal Building
 & U.S. Courthouse
 411 West Fourth Street
 Santa Ana, CA 92701

Hon. Edward M. Chen
 U.S. Magistrate Judge
 Phill Burton U.S. Courthouse
 450 Golden Gate Avenue
 Box 36060
 San Francisco, CA 94102

Hon. Maxine M. Chesney
 U.S. District Judge
 Phillip Burton U.S. Courthouse
 19th Floor
 450 Golden Gate Avenue
 San Francisco, CA 94102-3434

Hon. Audrey B. Collins
 U.S. District Judge
 670 Edward R. Roybal
 Federal Building & U.S. Courthouse
 255 East Temple Street
 Los Angeles, CA 90012-3332

Hon. Samuel Conti
 Senior U.S. District Judge
 U.S. District Court
 P.O. Box 36060
 San Francisco, CA 94102-3434

Hon. Paul S. Diamond
 U.S. District Judge
 United States District Court
 17613 James A. Byrne U. S.
 Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Hon. Joseph R. Goodwin
 U.S. District Judge
 U.S. District Court
 P.O. Box 2546
 Charleston, WV 25329-2546

Hon. Richard T. Haik, Sr.
 Chief Judge, U.S. District Court
 4200 U.S. Courthouse
 800 Lafayette Street
 Lafayette, LA 70501

Hon. Susan Yvonne Illston
 U.S. District Judge
 Phillip Burton U.S. Courthouse
 Suite 19-5424
 450 Golden Gate Avenue
 San Francisco, CA 94102-3434

Hon. Larry J. McKinney
 Chief Judge, U.S. District Court
 204 U.S. Courthouse
 46 East Ohio Street
 Indianapolis, IN 46204

Hon. Linda R. Reade
 U.S. District Judge
 304 Federal Building
 & U.S. Courthouse
 101 First Street, S.E.
 Cedar Rapids, IA 52401-1202

Hon. Cynthia M. Rufe
 U.S. District Judge
 United States District Court
 4000 James A. Byrne U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1796

Hon. Herman J. Weber
 Senior U.S. District Judge
 801 Potter Stewart U.S. Courthouse
 100 East Fifth Street
 Cincinnati, OH 45202

Hon. Jeffrey S. White
 U.S. District Judge
 Phillip Burton U.S. Courthouse
 450 Golden Gate Avenue
 Box 36060
 San Francisco, CA 94102-3489

Hon. Claudia Wilken
 U.S. District Judge
 Ronald V. Dellums Federal Building
 Suite 400 South
 1301 Clay Street
 Oakland, CA 94612-5217

Hon. William H. Yohn, Jr.
 Senior U.S. District Judge
 14613 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1753

INVOLVED CLERKS LIST (CTO-63)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

James Bonini, Clerk
324 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, OH 45202

Teresa Deppner, Clerk
Post Office Box 2546
Charleston, WV 25329-2546

James D. Hodges, Jr., Clerk
101 First Street S.E.
Cedar Rapids, IA 52401

Laura A. Briggs, Clerk
105 Birch Bayh Federal Building & U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

Michael E. Kunz, Clerk
2609 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

~~Perry D. Mathis, Clerk
140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203~~

Richard W. Wicking, Clerk
400-S Ronald V. Dellums Federal Building
1301 Clay Street
Oakland, CA 94612-5212

Richard W. Wicking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Robert H. Shemwell, Clerk
2100 U.S. Courthouse
800 Lafayette Street
Lafayette, LA 70501

Sherri R. Carter, Clerk
G-8 U.S. Courthouse
312 North Spring Street
Los Angeles, CA 90012

Sherri R. Carter, Clerk
Ronald Reagan Federal Building & U.S. Courthouse
411 West Fourth Street
Santa Ana, CA 92701-4516

Sheryl L. Loesch, Clerk
U.S. District Court
311 West Monroe Street
Jacksonville, FL 32201

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CAN 4 06-1861

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Randall L. Ruark v. Eli Lilly & Co. 06-5153
Christine Hughes v. Eli Lilly & Co. 06-5154

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Catherine L. Roe, et al. v. Eli Lilly & Co. 06-5161

WEST VIRGINIA SOUTHERN

WVS 2 06-568

Penelope Rogers v. Eli Lilly & Co. 06-5162